

Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LIBERTY MUTUAL INSURANCE
COMPANY; and LIBERTY INSURANCE
CORPORATION,

Plaintiffs,

v.

CAROLYN AND BENJAMIN LANGE, and
their marital community; C.L., an individual,

Defendants.

NO. 2:20-cv-00309-JLR-MLP

STIPULATION AND ORDER TO STAY
PROCEEDINGS

Defendants Carolyn and Benjamin Lange (“the Langes”) and Plaintiffs Liberty Mutual Insurance Company and Liberty Insurance Corporation (“Liberty Mutual”), through their respective counsel, stipulate and agree as follows:

STIPULATION

1. This is an insurance coverage dispute related to defense and indemnity coverage for a lawsuit filed against the Langes in Whatcom County Superior Court, *C.L. v. Carolyn Lange and Benjamin Lange*, Cause No. 17–2–02207–37 (“the underlying action”).

2. Liberty Mutual and the Langes agree that there are factual issues in the underlying case that have not yet been resolved.
3. The Langes believe that unless this action is stayed pending the trial of the underlying action, there will be a potential risk of inconsistent results, and they will face the expense and inconvenience of litigating the coverage action and the underlying action at the same time.
4. The Langes have requested that Liberty Mutual stipulate to a stay of this action, pending the outcome of the underlying litigation. Liberty Mutual has agreed to the Langes' request, and is doing so without waiver of or prejudice to any position it may take in this or in any other declaratory judgment action.
5. In light of the foregoing, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the Langes and Liberty Mutual, that:
 - This action, including all deadlines and dates, should be stayed until the underlying action is concluded.
 - Either party may move the Court to terminate the stay upon 30 days' written notice to the other party.
 - The parties will submit a joint status report by May 15, 2021.

The parties respectfully request that the Court enter the subjoined order containing the terms of the stay.

STIPULATION DATED this 17th day of November, 2020.

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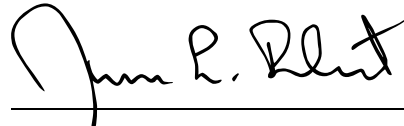
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ORDER

Based on the foregoing stipulation, IT IS SO ORDERED that this case is STAYED until the underlying action, *C.L. v. Carolyn Lange and Benjamin Lange*, Cause No. 17-2-02207-37, is concluded. Either party may move the Court to terminate the stay upon 30 days' written notice to the other party. The parties are DIRECTED to file a Joint Status Report by May 15, 2021.

IT IS SO ORDERED this 17th day of November, 2020.



The Honorable James L. Robart
United States District Judge